



The Municipal Corporation of the Town of Fort Erie

By-law No. 43-2018

Being a By-law to Accept and Declare Lands as Public Highway (Tykolis Holdings Ltd. and 9869247 Canada Limited – Terry Tykolis)

Whereas Tykolis Holdings Ltd. (the "Applicant") made an Application to the Committee of Adjustment for Consent to sever part of its lands municipally known as 4206 College Road to merge with the abutting lands municipally known as 2818 House Road owned by 9869247 Canada Limited; and

Whereas pursuant to the Decision of the Town of Fort Erie Committee of Adjustment, File No. B56/17 F.E., the Applicant's Solicitor, was required to undertake that the severed parcel would merge with the abutting lands owned by 9869247 Canada Limited, municipally known as 2818 House Road; and

Whereas 2818 House Road was the subject of a previous Consent; and

Whereas in order to effect the merger it is necessary to make a minor change to the lot configuration of 2818 House Road; and

Whereas Part 2 on Reference Plan 59R-16046 is a one foot square parcel of land that abuts House Road and is located at the southwest corner of 2818 House Road; and

Whereas it is necessary for 9869247 Canada Limited to convey Part 2 on 59R-16046 to The Corporation of the Town of Fort Erie, gratuitously, free and clear of all encumbrances, in order for the merger to be effected; and

Whereas it is deemed desirable to authorize the acceptance of the lands and declare and assume same as public highway forming part of House Road;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the acceptance of land from 9869247 Canada Limited, legally described as Part of Lot 13, Concession 13, Niagara River, Bertie; Fort Erie, designated as Part 2 on Reference Plan 59R-16046, being Part of PIN 64246-0188 (LT) (the "Lands"), free and clear of all encumbrances, is authorized and approved.
2. **That** the Lands are established, laid out, declared and assumed as public highway forming part of House Road, for public use.
3. **That** upon final passage of this by-law, the Town Solicitor shall cause same to be registered in the Land Registry Office, concurrently with the Transfer.
4. **That** the Mayor and Clerk are authorized and directed to execute all documentation necessary to complete this transaction.

- Read a first, second and third time and finally passed this 19th day of March, 2018.**

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true copy of By-law No. 70-2017 of the said Town. Given under my hand and the seal of the said Corporation,
this day of , 20